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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/615,830	07/13/2000	Charles T. Shotton JR.	J522-006 US	6757
21967 7590 03/13/2007 HUNTON & WILLIAMS LLP INTELLECTUAL PROPERTY DEPARTMENT 1900 K STREET, N.W. SUITE 1200 WASHINGTON, DC 20006-1109			EXAMINER BULLOCK JR, LEWIS ALEXANDER	
			ART UNIT 2195	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/13/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/615,830

Applicant(s)

SHOTTON ET AL.

Examiner

Lewis A. Bullock, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,7-24 and 31-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,7-24 and 31-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 7-24 and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by FIELDS (U.S. Patent 6,605,120).

As to claim 1, FIELDS teaches a system for retrieving a changing target content (dynamic content elements) from multiple target sources (web pages) on a remote computer (see abstract; col. 4, lines 40-66), the system comprising: a software agent (pass through publisher / tool / client based java applet) executable on a local computer (client computer) for retrieving a changing target content from a first target source (web content server) on a remote computer (col. 2, line 66 – col. 3, line 38; col. 4, lines 55 – col. 5, line 41; col. 6, lines 31-39), the software agent comprising: means for retrieving data from a target source on a remote computer (via the publisher / tool / applet retrieving the web page based on a clients request) (col. 2, line 66 – col. 3, line 38; col. 4, lines 55 – col. 5, line 41; col. 6, lines 31-39), first program instructions for identifying a predefined structural location of target content located within a version of data retrieved

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from the first target source (via the publisher / tool / applet invoking filters and their definitions to identify the marked dynamic content) (col. 2, line 66 – col. 3, line 38; col. 4, lines 55 – col. 5, line 41; col. 6, lines 31-39), the predefined structural location based upon a structural location of target content identified in a previous version of data retrieved from the target source (via determining, parsing, and recasting dynamic page content that was identified based on the filter definition files which indicates a portion of structural source code) (see col. 9, lines 9-67; ; col. 10, lines 27-45; col. 7, lines 27 – col. 8, line 29; col. 5, lines 12-41; col. 6, lines 10-39), the first target source comprising content in addition to the target content (static and dynamic content) (via split the component elements, extracting the desired component elements, and recasting the desired elements in the look and feel of the hosting site as a recast web page) (col. 3, lines 27-38); and an agent engine for executing the program instructions to retrieve potentially changing target content from the predefined structural location in the target source (via determining, parsing, and recasting dynamic page content that was identified based on the filter definition files which indicates a portion of structural source code) (see col. 9, lines 9-67; col. 10, lines 27-45; col. 7, lines 27 – col. 8, line 29; col. 5, lines 12-41; col. 6, lines 10-39); and second program instructions for displaying a first portion of content retrieved from the target source, the first portion consisting of the potentially changing target content from the predefined structural location in the first target source (via split the component elements, extracting the desired component elements, and recasting the desired elements in the look and feel of the hosting site as a recast web page) (col. 3, lines 27-38; see also col. 9, lines 9-44; col. 7, line 65 – col.

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8, line 19), the second program instructions further for displaying, simultaneously with the portion of content retrieved from the target source, a second portion of content retrieved from a second target source, the second target source being different from the first target source (via split the component elements between static and dynamic elements wherein static elements are cached and dynamic elements are downloaded from servers, extracting the desired component elements, and recasting the desired elements in the look and feel of the hosting site as a recast web page) (col. 3, lines 27-38; col. 6, lines 10-39).

As to claim 8, refer to claim 1 for rejection. FIELDS teaches a publication template (via a dynamic publishing template and the filter definitions) for arranging a portion of the dynamically changing target document for display on the local computer (col. 9, lines 9-44).

As to claim 15, refer to claim 1 for rejection.

As to claim 31, refer to claim 1 for rejection.

As to claim 7, FIELDS teaches the data is a web page structure (web content for a web page) (abstract) and the program instructions further comprises algorithms for parsing the data retrieved from the target source structure to find the target content (col. 8, lines 20-49; col. 10, lines 1-15).

As to claims 9-11, FIELDS teaches an application display browser window (browser) capable of displaying the target content as arranged by the publication template (col. 8, lines 20-49; col. 10, lines 1-15) wherein the agent comprises a plurality of agents and the publication template comprises a plurality of publication templates (via a plurality of filter definitions / publishing templates allows the pass through publisher to provide a different look and feel for each of the different users wherein the pass through publisher is made up of filters (sub-agents) and a hosting process, i.e. java applet) (col. 9, lines 25-44, col. 3, lines 1-37)

As to claims 13 and 14, refer to claim 7 for rejection.

As to claims 16-22, refer to claims 7 and 9-11 for rejection.

As to claims 23 and 24, refer to claim 7 for rejection.

As to claim 12, FIELDS teaches automatically executing the at least one agent to determine changes on the content providers (col. 2, lines 54-56). It is inherent to the teachings of FIELDS that since the agent is executed automatically that the agent is periodically scheduled.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 32-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over FIELDS (U.S. Patent 6,605,120).

As to claims 32-35, FIELDS teaches identifying the target web page content in the web page for display and that the web page is HTML (via determining, parsing, and recasting dynamic page content that was identified based on the filter definition files which indicates a portion of structural source code) (see col. 9, lines 9-67; col. 10, lines 27-45; col. 7, lines 27 – col. 8, line 29; col. 5, lines 12-41; col. 6, lines 10-39). However, FIELDS does not explicitly teach that the structural locations are marker codes. It is well known and obvious to one of ordinary skill in the art the HTML structural code of a start marker and an end marker are used to identify source code locations in a web page and are used in the teachings of FIELDS to identify the target web page content for display and recasting.

Response to Arguments

5. Applicant's arguments with respect to claims 1, 7-24 and 31-35 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment filed May 30, 2006 necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

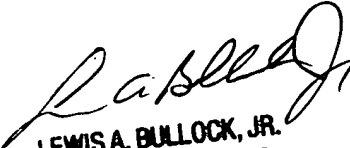
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis A. Bullock, Jr. whose telephone number is (571) 272-3759. The examiner can normally be reached on Monday-Friday, 8:30 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

October 30, 2006


LEWIS A. BULLOCK, JR.
PRIMARY EXAMINER